IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

GREENBRIER HOTEL CORPORATION. THE GREENBRIER SPORTING CLUB, INC., GREENBRIER SPORTING CLUB DEVELOPMENT COMPANY, INC., OLD WHITE CHARITIES, INC., and OAKHURST CLUB LLC, CIVIL ACTION No. 5:17-cv-03784 (formerly Civil Action No. 17-C-124) Plaintiffs. v. ACE AMERICAN INSURANCE COMPANY, LIBERTY MUTUAL FIRE INSURANCE COMPANY, LANDMARK AMERICAN INSURANCE COMPANY, ALLIED WORLD INSURANCE COMPANY, LLOYDS SYNDICATE SJC, AON PLC, LLOYDS SYNDICATE ATL, LLOYDS SYNDICATE BRT, LLOYDS SYNDICATE TAL, LLOYDS SYNDICATE CNP, LLOYDS SYNDICATE MKL, ENDURANCE UK, n/k/a SOMPO INTERNATIONAL, OIL CASUALTY INSURANCE LTD., LLOYDS SYNDICATE CHN, LIBERTY SURPLUS INSURANCE CORPORATION, ARCH INSURANCE COMPANY, RSUI INDEMNITY COMPANY, ASPEN SPECIALTY INSURANCE COMPANY, NOVAE BERMUDA UNDERWRITING LTD., ASPEN BERMUDA LIMITED, LLOYDS SYNDICATE 4444) (SOMPO CANOPIOUS), IRONSHORE SPECIALTY INSURANCE COMPANY, LLOYDS SYNDICATE) MMX, LLOYDS SYNDICATE TMK LLOYDS SYNDICATE RNR, LLOYDS SYNDICATE ASC, LLOYDS SYNDICATE HCC, LLOYDS SYNDICATE AFB. TOKIO MARINE AMERICA INSURANCE, ENDURANCE AMERICAN SPECIALTY INSURANCE COMPANY, and RESORT HOTEL INSURANCE SERVICES INC. d/b/a RESORT HOTEL INSURANCE COMPANY. Defendants.

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), plaintiffs Greenbrier Hotel Corporation, The Greenbrier Sporting Club Inc., Greenbrier Sporting Club Development Company Inc., Old White Charities, Inc., and Oakhurst Club LLC., by and through its counsel, hereby gives notice of its voluntary dismissal of this case without prejudice against all defendants listed.

Respectfully submitted,

/s/ William Ihlenfeld II
Brian Glasser (WV Bar No. 6597)
William J. Ihlenfeld II (WV Bar No.7465)
Jonathan Marshall (WV Bar No. 10580)
Bailey & Glasser LLP

209 Capitol Street Charleston, WV 25301 Phone: (304) 345-6555 Fax: (304)342-1110

wihlenfeld@baileyglasser.com

Counsel for Plaintiffs

Dated: September 12, 2017

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2017, a copy of the foregoing document was filed electronically. Notice of this filing will be sent via e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. A copy of the forgoing was also sent to the following counsel via USPS Mail:

Gregory R. Riehle Resort Hotel Association 2100 E. Cary Street, Floor 3 Richmond, VA 23223

Lee Murray Hall, Esquire Jenkins Fenstermaker, PLLC P.O. Box 2688 Huntington, WV 25626-2688

John R. Landis, Esquire Foley & Lardner LLP 321 North Clark Street Suite 2800 Chicago, IL 60654-5313

Brent K. Kesner Kesner & Kesner, PLLC P.O. Box 2587 112 Capitol Street Charleston, WV 25329 Matthew M. Burke, Esquire Ropes & Gray LLP Prudential Tower 800 Boylston Street Boston, MA 02199

James M. Dennis, Esquire Mound Cotton Wollan & Greengrass LLP LLP One New York Plaza 44th Floor New York, NY 10004

Dara A. DeCourcy, Esquire ZIMMER KUNZ, PLLC 1280 Suncrest Towne Centre Morgantown, WV 26505

Respectfully Submitted,

<u>/s/ William J. Ihlenfeld</u> William J. Ihlenfeld, II